Questions to ask before using an AI note-taker

AI note-takers hear the most private thing your clients will ever say. Ask these questions before you sign up, and get the answers in writing.

Stop if the answer is no: "Will you sign a Business Associate Agreement (BAA)?" Under HIPAA, any vendor that handles your client information needs one. A privacy policy or a "HIPAA-compliant" badge is not a BAA.

Where the data goes

1. **Where is the data stored and processed, and in which country?**
   You should be able to get a plain answer.
2. **Is the audio recorded and kept? How long are audio and notes kept, and can I delete them?**
   Shorter is safer. Deleting should be something you can do, not a support ticket.
3. **Is my clients' data used to train or improve your AI?**
   The answer you want is no, written into the contract, not just a setting.
4. **Which other companies see the data, such as the AI model provider? Do they have BAAs too?**
   Ask for the list of subprocessors.

How it is protected

5. **Is the data encrypted in transit and at rest? Who at your company can see sessions?**
   Staff access should be limited and logged.
6. **Do you support two-step login (MFA), and do you keep an audit log I can see?**
7. **Can you share a SOC 2 Type 2 report or similar independent audit?**
   A recent outside audit beats a claim on a web page.
8. **How fast will you tell me if there is a breach?**
   It should be written into the BAA.
9. **If I cancel, or you go out of business, how do I get my notes out, and when is my data deleted?**

Your side

10. **How will I tell clients and get their consent?**
    Recording-consent laws differ by state. Check your state and your licensing board.

You still sign every note. Read each one before you sign it: AI can get details wrong, and the record is yours.

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